

Racing Rules of Sailing

Rule 44.1(b)

A submission from US SAILING

Proposal 1

44.1 Taking a Penalty

- (b) if the boat caused injury or serious damage or, **despite taking a penalty**, gained a significant advantage in the race or series by her breach, her penalty shall be to retire.

Proposal 2 (contingent on acceptance of Proposal 1)

- (b) if the boat caused injury or serious damage or, **despite taking a penalty**, gained **an** ~~significant~~ advantage in the race or series by her breach, her penalty shall be to retire.

If Proposal 1 is not accepted, then Proposal 2 is withdrawn.

Current Position

As above

Reason

Proposal 1: It is unclear in the current rule whether the criterion for gaining a significant advantage is to be applied before or after the Two-Turns Penalty (or other penalty specified in the sailing instructions) is taken. The intent of this provision is to deal with situations where the advantage gained by the breach of a rule is not negated by a Two-Turns Penalty (or other penalty). Experience in match and team racing using the proposed approach shows that this is a clean and useful feature (see rules C8.3(a) and D2.2(d)(5)).

Proposal 2: The main function of the word 'significant' in the current rule is to suggest an advantage so great that the Two-Turns Penalty (or other penalty) will not remove it. With the change in Proposal 1, the word is no longer required.

This submission is part of a 'package' of related submissions from US SAILING involving penalties, exoneration and rules compliance. The submissions in this 'package' are those involving Sportsmanship and the Rules, Rule 14, Rule 44.1, Rules 44 and 64.1(c), a new definition Exonerate and two submissions involving Rule 44.1(b).
